

**REMARKS**

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Final Office Action dated January 30, 2007 has been received and its contents carefully reviewed.

Claims 3-5, 7-11, 13-15, 17-23 and 27-37 are pending in this application, with claims 27-37 having been withdrawn. Claims 4 and 20 have been amended to correct for minor typographical errors.

In the Office Action, claims 3-5, 7-11, 13-15 and 17-23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,912,920 to Kubota (hereinafter "Kubota") in view of Melles Griot Optics Catalog Optics Guide 5 (hereinafter "Melles-Griot").

Applicants respectfully traverse the rejection of the claims and request reconsideration. Claims 3-5, 7-11, 13-15, and 17-23 are allowable because there is no reason why a person of ordinary skill in the art would have combined the prior art elements in the manner claimed.

As set forth in the May 3, 2007 Memorandum from the Deputy Commissioner for Patent Operations to Technology Center Directors, directing application of the Supreme Court's recent ruling in *KSR International Co., v. Teleflex, Inc.* No. 04-1350 (U.S. April 30, 2007) ... "in formulating a rejection under 35 U.S.C. § 103(a) based upon a combination of prior art elements, it remains necessary to identify the reason why a person of ordinary skill in the art would have combined the prior art elements in the manner claimed." As the Supreme Court specifically noted, it is "important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements in the way the claimed new invention does (550 U.S. \_\_\_\_ 2007 at 15)."

Here, Kubota teaches a vehicle headlight, which uses a light source, a parabolic reflector, and a transparent laminated plate having transparent sheets (Abstract). Kubota teaches that "the principal object [of the invention] is to provide a polarized light illumination device which can utilize more effectively light from the light source *without absorbing light*." (Column 1, lines 16-20, emphasis added). Toward this end, Kubota teaches that "the transmitted light [through the polarizer] comprising the light component (Pp) is utilized for the narrow angle forward illumination of the headlight while the light of component (Ps) illuminates the environs over a wide angle so that it does not directly illuminate the automobile coming from the opposite

direction. Thus there is *entirely no loss of the projected light* from the headlight.” (Column 3, lines 35–42, emphasis added). Accordingly, Kubota teaches a headlight in which all of the light, including both states ( $P_p$  and  $P_s$ ) of polarization produced by the transparent laminated plate, is to be projected, and none is to be absorbed.

In contrast, Melles-Griot teaches a lens holder, whereby “[t]he body is black chrome coated to reduce scatter and stray reflections.” Further, the Examiner states that “[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to make the material of the polarizer holder of Kubota having a high absorptivity (such as highly absorbing black surfaced material), as taught by the Melles-Griot catalog, for avoiding undesired scattering of light.” (Office Action, page 3).

The Applicants respectfully assert that this feature of Melles-Griot is contradictory to the objective of Kubota. This is because Kubota expressly states that its objective is for no light to be lost from either state of polarization. Both polarization components are preserved and used by the vehicle headlight. This objective would be undermined by a polarizer holder with a highly absorbing material, as suggested by the Examiner. Accordingly, Applicants respectfully submit that there is no reason that would have prompted a person of ordinary skill in the relevant field to combine the prior art elements as claimed based on the teachings of Kubota and Melles-Griot because Melles-Griot is contradictory to the teachings of Kubota. A person of ordinary skill in the relevant field would not have been prompted to combine a material in which no light is to be absorbed with a material that absorbs light. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claims 3-5, 7-11, 13-15 and 17-23.

Applicants request entry of this Response as no new issues are raised, no claims have been substantively amended, and the application is placed in better form for Appeal.

Applicants believe the application is in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. *A duplicate copy of this sheet is enclosed.*

Respectfully submitted,

Dated: May 29, 2007

By 

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A handwritten signature in black ink, appearing to read "Rebecca G. Rudich", written over a horizontal line.

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